



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

MAILED

APR 27 2010

OFFICE OF PETITIONS

In re Application of	:	
Matsushima et al.	:	
Pat. Num./Pub. Num: 7,612,208	:	ON REQUEST FOR
Issue Date: 11/03/2009	:	RECONSIDERATION OF
Application No. 10/577531	:	PATENT TERM ADJUSTMENT
Filing or 371(c) Date: 04/28/2006	:	and
Attorney Docket No.	:	NOTICE OF INTENT TO ISSUE
1056-0138PUS1	:	CERTIFICATE OF CORRECTION

This is a decision on the petition filed on December 24, 2009, which is being treated as a petition under 37 CFR 1.705(d), requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by six hundred thirty-seven (637) days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by six hundred thirty-seven (637) days is **GRANTED to the extent indicated herein**.

A review of the record reveals that the Office errantly neglected to assess a reduction of 6 days in accordance with 37 CFR 1.704(c)(10) in connection with the Information Disclosure Statement ("IDS"), filed May 14, 2009. The reduction commenced May 14, 2009, the date that IDS was filed, and ended May 19, 2009, the mailing date of the Office action in response to the IDS was mailed, and is six days (not five days).

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The address given on the petition differs from the address of record. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **SIX HUNDRED THIRTY-SIX (636) DAYS**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3232.

/Derek L. Woods/

Derek L. Woods
Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

CC: BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,612,208 B2

DATED : November 3, 2009

INVENTOR(S) : Matsushima et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 485 days.

Delete the phrase "by 485 days" and insert – by 636 days--